

C H A P.
XXIII.The Register
shall give
such Notice,
on Penalty of
1000^{lb} To-
bacco.The two old-
est Vestry-
men to be left
out annually.

where he or they shall be so chosen and elected as aforesaid) refuse or neglect to repair to, and be present at the next Meeting of such Vestry or Vestries, and there qualify him or themselves as such Vestry-man or Vestry-men, without a reasonable Excuse, after such Notice given to them as aforesaid; and Notice of such Meeting to be given to him or them by the said Register, who is hereby directed and required to give such Notice, under the Penalty and Forfeiture of One Thousand Pounds of Tobacco, that then every Vestry-man so refusing or neglecting as aforesaid, shall forfeit and pay the Quantity of One Thousand Pounds of Tobacco. And the Two Vestry-men mentioned by the said Act, to be annually left out, shall, and are hereby directed to be the Two eldest Vestry-men, and which said Two Vestry-men so left out as aforesaid, or either of them, shall not be liable to be chosen, or obliged to serve as a Vestry-man or Vestry-men, for the Space of Three Years ensuing the Time of their being left out as aforesaid.

The Vestry
may elect an-
other in the
Room of such
as refuse, &c.
to serve.

III. And it is hereby further Enacted, by the Authority aforesaid, That it shall and may be lawful, to and for the Vestry or Vestries, and they are hereby impowered and directed, to proceed to the Choice and Election of some other Person or Persons to be Vestry-man or Vestry-men, in the Place or Stead of such Person or Persons so chosen Vestry-man or Vestry-men, and refusing or neglecting as aforesaid; and the former Choice of such Person or Persons as Vestry-man or Vestry-men refusing or neglecting, shall be void, and of no Effect.

The small
Fines im-
posed by 1702,
ch. 1, §. 10,
12, and 14,
shall be reco-
vered before
a single Ma-
gistrate.

IV. And whereas, by the aforesaid recited Act, no method of Prosecution is directed for the Recovery of the Fines and Penalties by the said Act imposed on a Vestry-man or Vestry-men, Church-warden or Church-wardens, Register or Registers, and every Person refusing or neglecting to register any Birth, Marriage, or Burial; Be it therefore hereby Enacted, by the Authority aforesaid, That the Fines and Penalties in the aforesaid recited Act, mentioned to be imposed on a Vestry-man or Vestry-men, Register or Registers, or any other Person refusing or neglecting to register any Birth, Marriage, or Burial, shall and may be recovered before any one Justice of the Peace for the said County where such Offence shall be committed; and one Moiety thereof applied towards defraying the Charge of the Parish where the Offence shall be committed; and the other Moiety to him, her, or them that shall inform of the same.

The Fines
imposed by §.
2, of this Act,
and on the
Church-war-
den refusing
to serve, &c.
by 1702, ch.
1, §. 14,
shall be reco-
vered in the
County
Court.and the Court
to order Pro-
secution.

V. And it is hereby further Enacted, by the Authority aforesaid, That the Fine or Fines, by this Act imposed on the Vestry-man so refusing or neglecting as aforesaid, and on the Register as aforesaid, and by the aforesaid recited Act on the Church-wardens, shall and may be sued for, and recovered in his Lordship the Lord Proprietary's Name, by Information, in the Court of the County where such Offence shall be committed, wherein no Essoin, Protection, or Wager of Law shall be allowed. The same Fine or Fines to be for the Use of the Parish in which the said Offence or Offences shall be committed; and every and each acting Vestry-man or Register is hereby required to make Information to the next County Court, after such Neglect or Refusal of the Vestry-man or Vestry-men elected as aforesaid, or Neglect or Refusal of the said Register as aforesaid, in order for the Recovery of the Fine or Fines imposed by this Act. And the Justices of the said County Court so informed, shall and may, and are hereby directed and authorized to order a Prosecution in the Manner aforesaid, to be had against such Vestry-man or Vestry-men, Register or Registers, Church-warden or Church-wardens, refusing or neglecting as aforesaid.

Every acting
Vestry-man
or Register is
required to
inform,

VI. Provided always, That the Power and Authority by the aforesaid recited Act, and this present Act, given to the Vestry or Vestries, for the Election of a Vestry-man or Vestry-men, Church-warden or Church-wardens, and